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VIA ECF

Hon. Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl St., Room 701
New York, NY 10007

**Re: Convergen Energy LLC, et. al. v Brooks, et. al.
Case No. 1:20-cv-3746-LJL**

Dear Judge Liman:

We represent Convergen Energy WI, LLC, Theodore Hansen, and Brian Mikkelson in the above-referenced action. This letter is in response to Plaintiff's Motion for Leave to Amend their Complaint (Doc. 116) in light of Defendants' Motion to Dismiss filed July 17, 2020 (Doc. 91) and Rule 3.B. of the Court's Individual Practices in Civil Cases.

Plaintiffs assert in their Motion for Leave to File Amended Complaint that the motion is brought under Rule 15 of the Federal Rules of Civil Procedure. It is our view that the Plaintiffs' Motion for Leave is not permitted as a matter of course but requires consent of the party or judicial approval.

With reference to Rule 3.B. by this letter we inform the Court of our objection to the Plaintiffs' attempt to amend their Complaint for reasons that will be further explained in Defendants' Brief in Opposition to Plaintiffs' Motion for Leave (due by September 2). We look forward the September 10th hearing where we will explain why Plaintiff's Amended Complaint has no impact on the fact that this dispute must be arbitrated.

Ryan Billings, counsel for Defendants Steven Brooks, Gregory Merle, NianticVista Energy, LLC, and Riverview Energy Corporation, has reviewed and joins this letter.

Very truly yours,

von BRIESEN & ROPER, s.c.

A handwritten signature in black ink, appearing to read "B. LaFrombois", with a long horizontal flourish extending to the right.

Benjamin LaFrombois, Esq.
BDL:sf